

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: October 3, 2024
RE: Zoning Bylaw Amendment – Electoral Area “D” D2021.015-ZONE

Administrative Recommendation:

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.06, 2023, be adopted.

Purpose: To facilitate the development of an apartment building.

Civic: 5356 8th Avenue Folios: D-00888.015 / D-00888.001

Legal: Lots A & B, District Lot 2883S, SDYD, Plan EPP54703

OCP: Town Centre (TC) & Parks and Recreation (PR) Zone: Campground Commercial (CT2)

Proposed Development:

This application is seeking to amend the zoning of the subject properties in order to facilitate the development of a four-storey apartment building comprising of 48 units, atop a ground floor one-storey parkade.

Background:

At its meeting of May 5, 2022, the Regional District Board resolved to approve first and second reading of the amendment bylaws and delegated the holding of a public hearing to the Area director.

The Regional District Board also resolved:

THAT prior to adoption of the Okanagan Valley Zoning Amendment Bylaw No. 2800.06, 2022, a statutory covenant is registered on the title of Lots A & B, Plan EPP54703, District Lot 2883S, SDYD, in order that no building permit will be issued until:

- 1. the area identified as “Proposed Amenity Dedication Area”, and as shown on Attachment No. 3 in the Administrative Report from the Chief Administrative Officer dated May 5, 2022, has been donated to the Regional District in fee simple title; and,*
- 2. the License of Occupation over Crown lands (Crown Lands File No. 3408764), and which involves a seating “pavilion” is transferred to the Regional District.*

On February 27, 2024, a public hearing was held at 1141 Cedar Street, Okanagan Falls (Okanagan Falls Recreation Centre and was attended by 25 members of the public.

At its meeting of March 21, 2024 the Regional District Board resolved to approved third reading of the amendment bylaw.

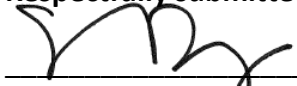
Following the Regional District Board’s approval of third reading of the amendment bylaw, the required statutory covenant was registered against the Certificates of Title of the subject properties.

Approval from the Ministry of Transportation and Infrastructure (MoTI), due to the amendment applying to land within 800 metres of a controlled area, was obtained on August 13, 2024.

Alternatives:


1. THAT first, second and third readings of the Electoral Area “D” Official Community Plan Amendment Bylaw No. 2800.06, be rescinded and the bylaws abandoned.

Respectfully submitted:



Shannon Duong, Planner II

Endorsed By:



C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Aerial Photo (2024)

Attachment No. 1 – Aerial Photo (2024)

